

**TESTIMONY OF THE
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE
BEFORE THE JOINT STANDING COMMITTEE ON INLAND
FISHERIES AND WILDLIFE
IN OPPOSITION TO L.D. 100**

"An Act To Allow Municipalities To Stock Ponds"

SPONSORED BY: Representative WOOD of Sabattus

**CO-SPONSORED BY: Representative CRAFTS of Lisbon
Representative LAJOIE of Lewiston
Senator MASON of Androscoggin
Representative SHAW of Standish
Representative WERTS of Auburn**

DATE OF HEARING: March 5, 2013

Good afternoon Senator Dutremble, Representative Shaw and members of the Inland Fisheries and Wildlife Committee. I am Michael Brown, Fisheries Division Director at the Department of Inland Fisheries and Wildlife, speaking on behalf of the Department, in opposition to **L.D. 100**.

L.D. 100 will allow municipalities to purchase and stock fish raised by the Department of Inland Fisheries and Wildlife or an approved private hatchery while possibly limiting public access to these same fish resources when stocked in public waters. Providing public access to Maine's public waters is an important mission of the Department of Inland Fisheries and Wildlife, and the public access program is supported and funded by user groups.

This bill could influence the department's management strategies in regards to what type of fish are stocked when a municipality stocks fish in a public water. It could also create situations where a water body is stocked but public access is inadequate for the fishermen. The municipality stocking the water body may not have methods of stocking that are consistent with the department's objectives and goals and as a result may not be in the best interest of the general public. This bill would also eliminate the technical peer review board as required by department policy.

It is currently the department's policy to stock fish in waters that provide equitable public access and where waters are suitable to support the size and species of fish stocked.

Equitable access for all resident and non-resident anglers requires that the types of access available to waterfront owners are available to the angling public, reflecting size and type of water craft in common use on the pond. Through our boating access program we often partner with municipalities or others to provide equitable access that will allow the department to stock these waters. Providing public access to Maine's public waterways is challenging. Maine has over 6,000 lakes and ponds, over 5,000 rivers and streams, and 3,500 miles of coastline. Yet there are fewer than 400 state-owned access sites in the state.

There are very few private hatcheries to provide fish for a program as described in this bill. The Maine hatchery program does not have the capacity to meet additional demands to stock waters not open to the public. The time incurred by department staff to transport, assess and manage fish in these waters would diminish opportunities where there is equitable access for the public.

I would be glad to answer any questions at this time or during the work session.